

TDA's Office of Rural Affairs

TxCDBG Workshop

Community's Procurement of Administration Services

2016



The Community's Procurement of a Contract Administrator

To avoid potential Conflicts of Interest in procurement of a Contract Administrator, the Community shall procure the Contract Administrator without the input or assistance of any consultant that will submit a proposal for services.

The Community's Procurement of a Contract Administrator

To assist Communities, TDA TxCDBG has prepared a Step by Step "Appendix D" that includes:

- Step by Step - Selection Process
- RFP Sample Cover Letter
- Sample Newspaper Advertisement
- Sample RFP for Administration/Professional Services
- Sample Administration/Professional Services Contract
- Sample Administration/Professional Rating Sheets (2)

Appendix D of the 2015 TxCDBG Project Implementation Manual can be found on the TDA website.


Step by Step - Selection Process Overview

- Step 1. Establish or appoint a local Selection Review Committee
- Step 2. Determine the Scope of Services
- Step 3. Determine the Written Selection Criteria to Evaluate Respondents
- Step 4. Develop the Request for Proposals (RFP) Package
- Step 5. Advertise the RFP
- Step 6. Send RFP to at least Five (5) Individuals / Firms
- Step 7. Rate the Proposals using Rating Sheet
- Step 8. Clear the Administrator/Service Provider (SAM.gov) & Verify Submission of the Environmental Exemption form
- Step 9 & 10. Approve the selected Administrator and Award a Contract
- Step 11. Submit the Financial Interest Report Form A503
 - Documentation Retained For Monitoring purposes

Step 1. Establish or appoint a local Selection Review Committee

The Selection Review Committee determines the criteria to select and rate competing Administrative Firm respondents.

The Mayor, City Manager or County Judge will establish a Selection Review Committee.




Step 1. Establish or appoint a local Selection Review Committee (cont.)

- The committee **must** include at least one person, with no maximum number of members.
- The committee **must** include at least one local official, such as a member of the elected governing body.

The committee may also include:

- other elected officials
- employees of the locality
- employees or officers of third-party public utilities served through this project
- or other relevant persons.



Step 1. Establish or appoint a local Selection Review Committee (cont.)

- ❖ Committee members may not have any potential conflicts of interest with any of the individuals, firms, or agencies under review.
- ❖ Anyone who might potentially receive benefits from CDBG-assisted activities **and** has a real or apparent conflict of interest may **not** participate in the selection, award, or administration of a contract supported by CDBG funding.
- Conflicts of Interest examples - family relationships, close friendships, business dealings, etc.

CONFLICTS



Step 2. Determine the Scope of Services

The 1st item for the Selection Review Committee is to determine the scope of services needed to successfully administer the TxCDBG contract.

- The scope of services should itemize the tasks required, with timeframes and achievable goals to complete the Community's project and satisfy TxCDBG program requirements.



Step 2. Determine the Scope of Services (cont.)


Examples of Scopes of Services can be found in the Sample RFP and Sample Contract in Appendix D of the TxCDBG Implementation Manual (available on TDA's website).

- These Samples cover the Contract Administration scope of services related to:


A. Project Management	F. Fair Housing / Equal Opportunity
B. Financial Management	G. Relocation
C. Environmental Review	H. Rehabilitation of Private Property
D. Acquisition (of Real Property)	(1 st time Water or Sewer connections)
E. Construction Management	I. Audit / Close-out Procedures

These can be tailored to the requirements of community's project.

Step 3. Determine the Written Selection Criteria to Evaluate Respondents


- ❑ Use the Sample Administration/Professional Services Rating Sheets provided at the end of Appendix D, 
- or
- ❑ develop written weighted criteria . . .

. . . to select the Administrator based on the proposed CDBG project.



Step 3. Determine the Written Selection Criteria to Evaluate Respondents (cont.)


- Cost must be included in the selection criteria, and the Selection Review Committee may determine the relative weight of this factor.



Step 4. Develop the Request for Proposals (RFP) Package

Develop a RFP package to issue to potential respondents. The RFP package must contain the following three parts.
(See Sample RFP in Appendix D)

- 1) Cover Letter;
- 2) Request for Proposals (RFP): The RFP should include:
 - o A Sample Administration/Professional Services Rating Sheet or similar rating sheet with weighted criteria;
- And Request:
 - o Proposed cost of services/fee structure;
 - o Experience with federal programs;
 - o Capacity to perform the specific proposed task;
 - o Equal opportunity/fair housing efforts; and
 - o References
- 3) Sample Contract



Step 5. Advertise the RFP

- Advertise RFP in a locally distributed newspaper.
- The proposal deadline must be no less than 10 (ten) days after the publication of the advertisement and contact date of the RFP.



See Sample in Appendix D.

Step 6. Send RFP to at least Five (5) Individuals / Firms

- ❖ Prepare a list of potential TDA certified Administration services consulting firms/individuals;
 - Use TDA's website or the Texas Comptroller of Public Accounts Historically Underutilized Business (HUB) Directory.
 - If possible, include MBE/SBE/WBE and/or Section 3 individuals/firms in listing.



- ❖ Send the RFP package to a **minimum of five individuals/firms** by email, fax, and/or return receipt mail.
 - Document reasons for selecting such firms for local files.
 - Document evidence of contacting five (5) individuals/ firms.
 - If email/fax, print verifiable evidence that email/fax sent.
 - If Mail, send return receipt.

Step 6. Contracting with Minority, Women and Small Business Enterprises (MWSBE)

- Federal Requirement
- Affirmative steps include:
 - Inviting MWSBEs to pre-bid/pre-proposal meetings
 - Placing qualified MWSBEs on solicitation lists
 - Subdivide the work when economically feasible
 - Establish relationships with MWSBEs
 - Provide a copy of the solicitation advertisement to TDA
 - Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce

Contact Dinita Caldwell, Director of HUB/MWBE Programs
MWBE@texasagriculture.gov or 512-463-8496

Step 7. Rate the Proposals using the Administration/Professional Services Rating Sheet

- ❑ At least 10 days after the date of public advertisement and contact dates evaluate the Respondent's experience, work performance, and capacity to perform either:



- By using prior experience with Respondent(s); and/or
- By contacting all references for the Respondent.

- ❑ Use the Administration/Professional Services rating sheet developed in Step 3 to score each Respondent.
 - Also Document the Committee members' ratings.

Total all rating sheets per committee member and select the firm with the highest average points.

Step 7. Rate the Proposals using the Administration/Professional Services Rating Sheet (cont.)

- ❑ Select an Administrator by determining the Respondent with the highest total score (if this method is used) or select the contractor that has the most qualifications.



- ❑ If the cost of proposed Administration services will exceed \$ 50,000, then profit must be identified and negotiated as a separate element of the price of the contract.



Step 8. Clear the Administrator/Service Provider

- **SAM Clearance**
Verify that Respondent has no identified Federal issues including debarment through the System for Award Management (www.SAM.gov).



- **Verify Submission of the Environmental Exemption Determination** Form A303 is often submitted with the TxCDBG application.

- If not sent with application, then submit Form A303 to this email address:
David.Brown@TexasAgriculture.gov



- ★ **Note:** This form **must** be completed and submitted to TDA prior to executing Administration service contracts – see Chapter 3, p. 3

Step 9 & 10. Approve the selected Administrator and Award Contract

1. Prepare a contract for execution by all parties.
(See Sample in Appendix D)
2. Present the Committee's selection to the City Council or Commissioner's Court.
3. City Council or County Commissioner's Court approves selection of an Administrative firm /individual.
4. City council or County Commissioner's court then approves and executes contract.



Step 11. Submit the Financial Interest Report Form 503 & Monitoring - Documentation

- ❖ Submit the *Financial Interest Report (Form A503)* to TDA within 30 days of executing the contract.
- ❖ For Monitoring purposes be sure to document each step of the procurement process as this documentation will be requested near the end of the contract for review.
- See Appendix D for a list of the specific documents needed for the Monitoring Desk Review.

TxCDBG Project Implementation Manual



